

REZONING APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

OFFICE USE ONLY

Application #: 216-028
Date Received: 5/3/16
Application Accepted By: SP & JF Fee: \$5760
Comments: Assigned to Shannon Pine; 614-645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 5995 N Hamilton Rd Zip 43081
Is this application being annexed into the City of Columbus ☐ Yes ☒ No (circle one)
If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address 010-247887

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s) L-C-4 Requested Zoning District(s) CPD

Area Commission Area Commission or Civic Association: Northland Community Council

Proposed Use or reason for rezoning request: To update the development text.

(continue on separate page if necessary)

Proposed Height District: H-110 (with limitations in development text) Acreage 8.43 Acres

[Columbus City Code Section 3309.14]

APPLICANT:

Name Hamilton Crossing LLC
Address 1533 Lake Shore Drive City/State Columbus, OH Zip 43204
Phone # 614-488-4424 Fax # 614-488-0603 Email paulg@daimlergroup.com

PROPERTY OWNER(S):

Name Hamilton Crossing LLC
Address 1533 Lake Shore Drive City/State Columbus, OH Zip 43204
Phone # 614-488-4424 Fax # 614-488-0603 Email paulg@daimlergroup.com
☐ Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) ☐ Attorney ☒ Agent

Name Charlie Fraas See attached sheet for Attorney
Address 250 Civic Center Drive, Suite 500 City/State Columbus, OH Zip 43215
Phone # 614-227-3485 Fax # 614-221-4454 Email: cfraas@castoinfo.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Hamilton Crossing LLC By: [Signature] authorized rep for applicant
PROPERTY OWNER SIGNATURE Hamilton Crossing LLC By: [Signature] authorized rep for property owner
ATTORNEY / AGENT SIGNATURE Charlie Fraas By: [Signature] agent for applicant/owner
My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

REZONING APPLICATION

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Area Commission Area Commission or Civic Association: _____

Proposed Use or reason for rezoning request: _____

(continue on separate page if necessary)

Proposed Height District: _____ Acreage _____

[Columbus City Code Section 3309.14]

APPLICANT:

Name _____

Address _____ City/State _____ Zip _____

Phone # _____ Fax # _____ Email _____

PROPERTY OWNER(S):

Name _____

Address _____ City/State _____ Zip _____

Phone # _____ Fax # _____ Email _____

☐ Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney

☐ Agent

Name Aaron Underhill

Address 8000 Walton Parkway, Suite 260 City/State New Albany, OH Zip 43054

Phone # 614-353-9321 Fax # 614-335-9329 Email: aaron@uhlfirm.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE _____

ATTORNEY / AGENT SIGNATURE _____

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

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Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make all checks payable to the Columbus City Treasurer

REZONING APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

AFFIDAVIT

(See instruction sheet)

APPLICATION # 216-028

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Charles Fraas

of (1) MAILING ADDRESS 250 Civic Center Drive, Suite 500, Columbus, OH 43215

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) CERTIFIED ADDRESS FOR ZONING PURPOSES 5995 N Hamilton Rd., Columbus

for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

☐ Check here if listing additional property owners
on a separate page.

(4) Hamilton Crossing LLC
1533 Lake Shore Dr.
Columbus, OH 43204

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

Hamilton Crossing LLC
614-488-4424

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) Northland Community Council
C/O Dave Paul P.O. Box 29736
Columbus, OH 43229

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property(7)

SIGNATURE OF AFFIANT

(8)

Subscribed to me in my presence and before me this 3rd day of May, in the year 2016

SIGNATURE OF NOTARY PUBLIC

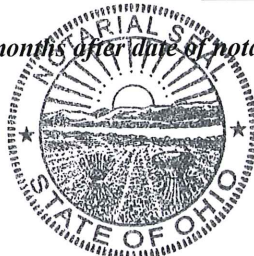
(8)

My Commission Expires:

09-14-2016

This Affidavit expires six months after date of notarization.

Notary Seal Here



Helena Brus
Notary Public, State of Ohio
My Commission Expires 09-14-2016

APPLICANT

Hamilton Crossing, LLC
1533 Lake Shore Dr.
Columbus, OH 43204

PROPERTY OWNER

Hamilton Crossing, LLC
1533 Lake Shore Dr.
Columbus, OH 43204

AGENT**2/6-028**

Charlie Fraas
250 Civic Center Drive
Suite 500
Columbus, OH 43215

NEIGHBORHOOD GROUP

Northland Community Council
C/O Dave Paul
P.O. Box 297836
Columbus, OH 43229

ATTORNEY

Aaron Underhill
8000 Walton Parkway
Suite 260
New Albany, OH 43054

SURROUNDING PROPERTY OWNERS

161 HAMILTON LLC
2027 North St
Granville, OH 43023

CITY OF COLUMBUS
90 W Broad St. Rm 425
Columbus, OH 43215

RS 161 EAST LLC
PO Box 780
Worthington, OH 43085

CASTO AP RESIDENTIAL LLC
250 Civic Center Drive
Suite 500
Columbus, OH 43215

CASTO ALBANY PARK I LLC
250 Civic Center Dr.
Suite 500
Columbus, OH 43215

STATE OF OHIO ODOT
State of Ohio Highway
400 E William St.
Delaware, OH 43015

BLENDOM-BEECHAM PROPERTIES
605 S Front St #200
Columbus, OH 43215

CENTER STATE ENTERPRISES LLC
C/O David Martin
259 W Schrock Rd.
Westerville, OH 43081

STEPHEN L HARPER TRUSTEE
250 Civic Center Drive
Suite 500
Columbus, OH 43215

TARGET CORP
1000 Nicollet Mall
Minneapolis, MN 55440

TOWN & COUNTRY CITY INC
250 Civic Center Drive
Suite 500
Columbus, OH 43215

HAMILTON CROSSING, LLC
1533 Lake Shore Dr.
Columbus, OH 43204

TOWN & COUNTRY CITY INC
250 Civic Center Drive
Suite 500
Columbus, OH 43215

NORTHLAND COMMUNITY
COUNCIL
C/O Dave Paul
P.O. Box 297836
Columbus, OH 43229

CASTO AP RESIDENTIAL LLC
250 Civic Center Drive
Suite 500
Columbus, OH 43215

161 HAMILTON LLC
2027 North St
Granville, OH 43023

AARON UNDERHILL
8000 Walton Parkway
Suite 260
New Albany, OH 43054

RS 161 EAST LLC
PO Box 780
Worthington, OH 43085

CHARLIE FRAAS
250 Civic Center Drive
Suite 500
Columbus, OH 43215

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1000 Nicollet Mall
Minneapolis, MN 55440

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Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224-3218
Phone: 614-645-7433 www.columbus.gov

DEPARTMENT OF BUILDING
AND ZONING SERVICES

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # 216-028

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Charles Fraas
of (COMPLETE ADDRESS) 250 Civic Center Drive, Suite 500, Columbus, OH 43215
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. Hamilton Crossing LLC 1533 Lake Shore Dr. Columbus, OH 43204 614-488-4424	2.
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

By 

Subscribed to me in my presence and before me this 3rd day of May, in the year 2016

SIGNATURE OF NOTARY PUBLIC

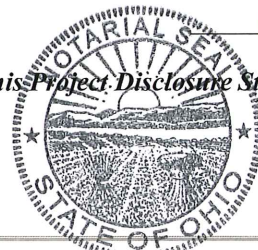


My Commission Expires:

09-14-2016

This Project Disclosure Statement expires six months after date of notarization.

Notary Seal Here



Helena Brus
Notary Public, State of Ohio
My Commission Expires 09-14-2016

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make all checks payable to the Columbus City Treasurer

**ZONING DESCRIPTION OF
8.43 ACRES**

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of that 55.460 acre tract conveyed to Hamilton Crossing, LLC by deeds of record in Instrument Number 201510300154503 and Instrument Number 201602110017560, (all references are to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

BEGINNING in the westerly right-of-way line of Hamilton Road, being a southeasterly corner of said 55.460 acre tract, the northeasterly corner of that 5.876 acre tract conveyed to 161 Hamilton, LLC by deed of record in Instrument Number 200412010273500 and in the westerly line of Parcel No. 102-WD conveyed to State of Ohio by deed of record in Instrument Number 199905240130003;

Thence with the line common to said 55.460 and 5.876 acre tracts, with the arc of a curve to the right, having a central angle of 10° 03' 52", a radius of 960.00 feet, an arc length of 168.63 feet, a chord bearing of South 88° 19' 30" West and chord distance of 168.42 feet to a point of tangency;

Thence North 86° 38' 33" West, partially with said common line and partially across said 55.460 acre tract, a distance of 849.46 feet to a point;

Thence North 50° 36' 30" East, continuing across said 55.460 acre tract, a distance of 802.71 feet to a point;

Thence North 03° 21' 27" East, continuing across said 55.460 acre tract, a distance of 96.56 feet to a point in the southerly limited access right-of-way line of State Route 161 (Relocated), being a southerly line of Parcel 13WL conveyed to State of Ohio by deed of record in Official Record 25998B20;

Thence South 66° 01' 19" East, with said limited access right-of-way line, a northerly line of said 55.460 acre tract, a distance of 282.01 feet to a point;

Thence South 16° 39' 21" East, continuing with said limited access right-of-way line, an easterly line of said 55.460 acre tract, a distance of 289.25 feet to a point at the common corner of said Parcel 13WL and Parcel No. 102-WD;

Thence South 14° 37' 15" East, with the westerly right-of-way line of said Hamilton Road, the line common to said 55.460 acre tract and said Parcel No. 102-WD, a distance of 193.21 feet to a point;

Thence South 00° 47' 00" East, continuing with said westerly right-of-way line, said common line, a distance of 71.97 feet to the POINT OF BEGINNING, containing 8.43 acres, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



City of Columbus Zoning Plat

Z/6-028



ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 010247887

Zoning Number: 5995

Street Name: N HAMILTON RD

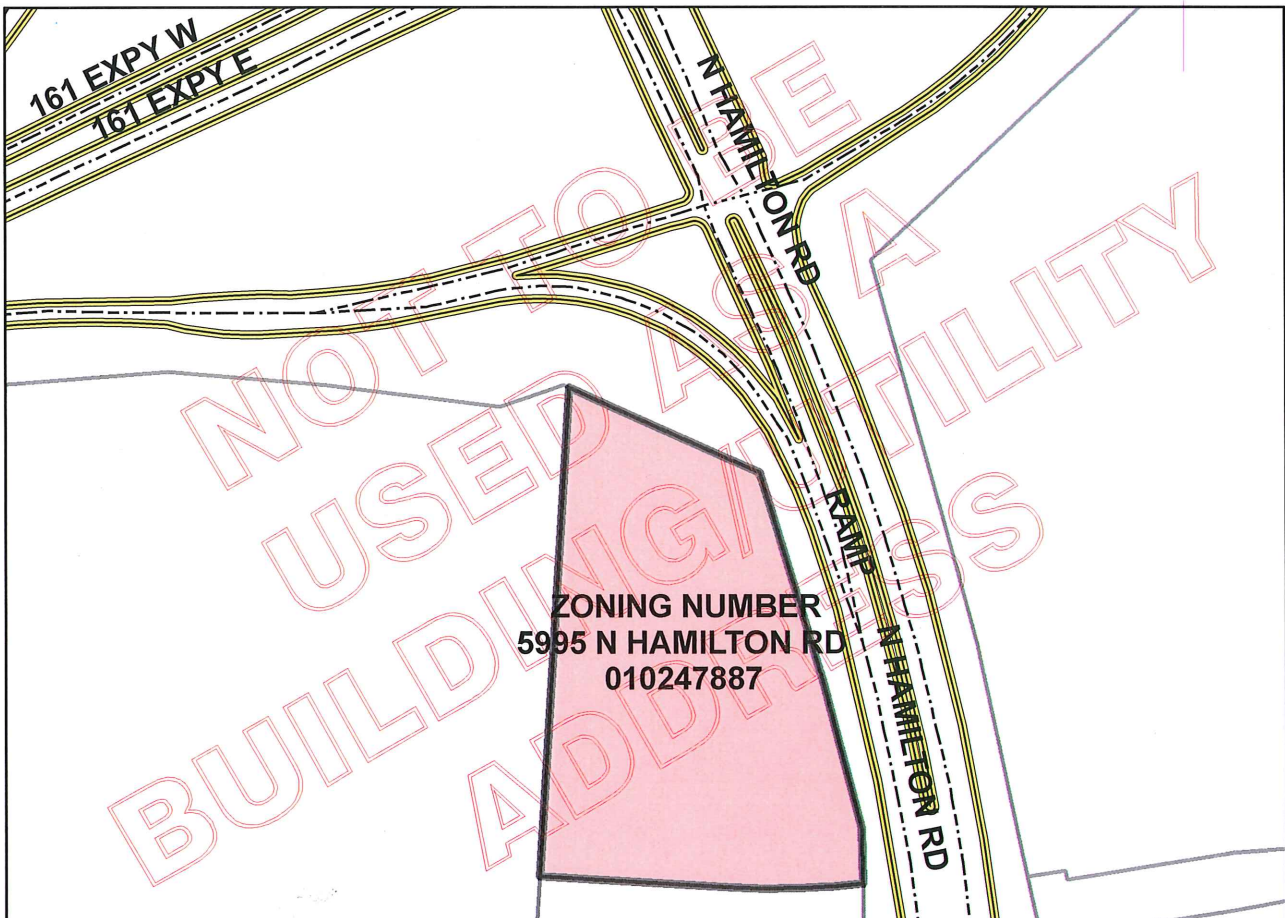
Lot Number: N/A

Subdivision: N/A

Requested By: CASTO (BRENT MEYERS)

Issued By: *Adyana Amarian*

Date: 4/26/2016



ZONING NUMBER
5995 N HAMILTON RD
010247887

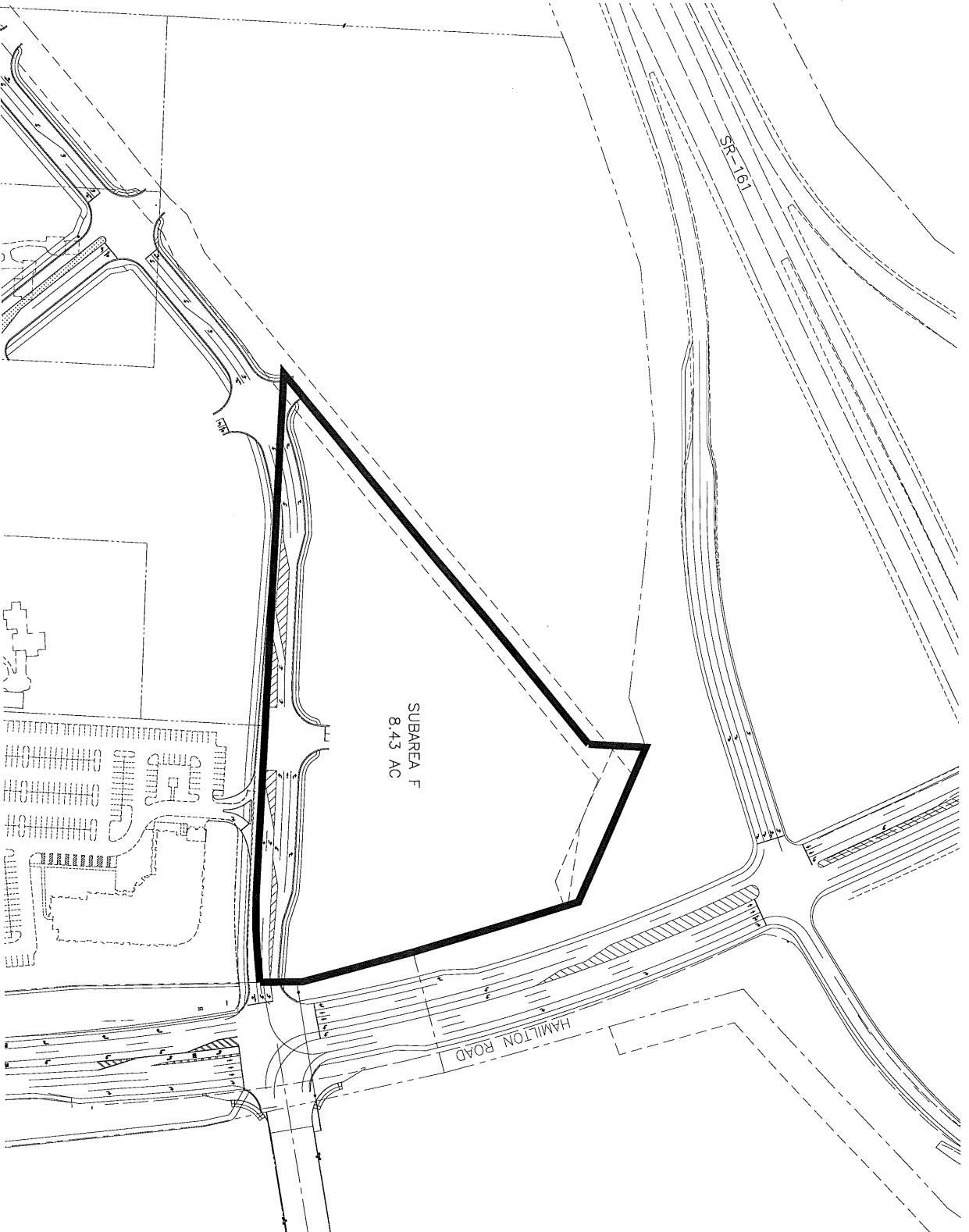


JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 250 feet

GIS FILE NUMBER: 62530

Z16-028



DEPICTIONS OF ROAD IMPROVEMENTS ARE CONCEPTUAL.



REVISIONS	
NO.	DATE
01	5-2-16



DEVELOPMENT TEXT

PROPOSED DISTRICT: CPD

PROPERTY ADDRESS: 5995 N. Hamilton Rd. [43081]

OWNER: Hamilton Crossing LLC

APPLICANT: Hamilton Crossing LLC

DATE OF TEXT: 5/3/16

APPLICATION NUMBER: 216-028

INTRODUCTION: The real property that is the subject of this zoning text consists of 8.43± acres (Subarea F) located to the southwest of and adjacent to the State Route 161 Expressway/Hamilton Road interchange in northeast Columbus. Most of the undeveloped real property located to the south of the Expressway, to the north of East Dublin-Granville Road, and to the west of Hamilton Road was rezoned in 2015 to allow office and mixed use commercial development. A portion of the property that is the subject of this text, consisting of 3.69± gross acres, was included in part of that zoning. The balance of the property (4.74± gross acres) that is the subject of this text was not included in that application and was previously zoned as Subarea 18E in Zoning Case Z98-029A.

This application serves to update the development standards on the subject property to accommodate hotel and commercial uses to be developed in a manner that is consistent and harmonious with the standards contained in the recent approved zoning text for the property to the west, and to allow uses to be developed and operated with square footages that meet the needs of the market, including the employment-generating office uses that are anticipated in the southwest quadrant of the State Route 161 Expressway/Hamilton Road interchange.

1.01. LOCATION: The property that is the subject of this text is located to the southwest of the State Route 161 Expressway interchange at Hamilton Road and is 8.43± gross acres in size.

1.02. PERMITTED USES: Permitted uses for the subject property are as follows:

A. Those which are contained in Section 3356.03 (C-4) of the Columbus Zoning Code. In addition, parking garages and parking structures shall be permitted in this portion of the subarea to the extent that they serve one or more uses that are permitted in this subarea or on adjacent real property.

B. Use Limitations: The following uses are prohibited within all portions of this subarea:

1. Billboards
2. Cabaret
3. Automobile and light truck dealers
4. Automobile driving training facility
5. Check cashing and loans
6. Community food pantry
7. Missions/temporary shelters
8. Pawn shop/pawn brokers
9. Recreational vehicle dealers
10. Truck, utility trailer, and RV (recreational vehicle) sales, rental and leasing
11. Automotive maintenance and repair
12. Drive-in motion picture theaters
13. Animal shelters
14. Halfway houses
15. Monopole telecommunication antennas or other free-standing towers containing communications equipment (but excluding communications equipment or antennae that are permitted on buildings per Columbus City Code).

16. Dance hall
17. Electric substation
18. Funeral parlor
19. Motor bus terminal, excepting therefrom public transit park and ride and station facilities
20. Motion picture theater
21. Poolroom
22. Private club
23. Testing or experimental laboratory

1.03. DEVELOPMENT STANDARDS: The applicable development standards are contained in Chapter 3356 (C-4, Commercial) of the Columbus City Code unless otherwise indicated within this text.

1.04. DENSITY, HEIGHT, LOT AND SETBACK COMMITMENTS:

A. Density: There shall be no maximum density restriction in this zoning district.

B. Setbacks:

1. The minimum setback from the right-of-way for the State Route 161 Expressway shall be 40 feet for parking and maneuvering areas and for buildings.
2. The minimum setback from the right-of-way for Hamilton Road shall be 20 feet for parking and maneuvering areas and for buildings and canopies.
3. The minimum setback along other public streets shall be 20 feet from the right-of-way for parking and maneuvering areas and for buildings and canopies.
4. The minimum setback from the western boundary line (including the gas line) of this zoning district shall be 0 feet for parking and maneuvering areas and buildings.
5. There shall be a zero setback for interior property lines within this subarea for parking and maneuvering and buildings.
6. Building overhangs, stoops, steps, patios, and other architectural features shall be permitted to encroach no more than 5 feet into minimum required building setbacks.
7. Building setbacks shall not apply to landscape features such as, but not limited to, planters or walls 6 feet high or less or ornamental fencing which may or may not contain signage as permitted by Article 15, Graphics Code of the City of Columbus.

C. Height District: The height district for this subarea shall be 110 feet as measured per the Columbus City Code, provided, however, that buildings shall not exceed a maximum height of (i) 75 feet for hotels and (ii) 35 feet in height for retail uses except such measurements shall be made exclusive of architectural features, parapets, and roof elements..

D. Lot Coverage: For structures and paved areas lot coverage shall not exceed 80% as measured over the entire zoning district. Individual parcels may exceed this limitation so long as the lot coverage ratio does not exceed this threshold as measured across the entire zoning district. Internal sidewalks and bikeways shall not be considered as part of the lot coverage.

1.05. ACCESS, LOADING, PARKING AND OTHER TRAFFIC-RELATED COMMITMENTS: A traffic study previously was prepared by the applicant and was reviewed and approved by the City of Columbus Department of Public Service as part of Zoning Case Number Z14-044. This subarea shall be serviced from vehicular access points that are identified in that approved traffic study. These access points shall be designed with turn movement commitments and/or restrictions that are identified in the study. The traffic study may be amended from time-to-time in the future to address actual development patterns in the area if agreed upon by both the developer and the Department of Public Service.

1.06. BUFFERING, LANDSCAPING, OPEN SPACE AND SCREENING COMMITMENTS:

A. A street tree row shall be established within all publicly dedicated rights-of-way containing 1 tree for every 30-40 feet of street frontage. The spacing and species of street trees shall be subject to the approval of the City of Columbus Forester. Minimum street tree size at installation shall be 2 ½ caliper inches.

B. Deciduous trees shall be planted along both sides of any internal private access road that serves outparcels in this subarea, at a rate that is not less than 1 tree per 50 feet of access road.

C. Dumpsters and mechanical equipment shall be fully screened from off-site view by a solid wall or fence consisting of materials that are used on the nearest structure that is served by the relevant dumpster or mechanical equipment.

D. Parkland, green or open space requirements beyond what is included in this Subarea A shall be fulfilled by the open/green space in Zoning Case 14-044 approved by the Columbus City Council in Ordinance #1758-2015.

1.07. BUILDING DESIGN COMMITMENTS FOR RETAIL AND RELATED BUILDINGS

A. The architectural design for buildings in this zoning district shall be consistent with the standards set forth in this Section 1.07 and shall be coordinated between the various uses and proposed building types. However, these standards shall not apply to buildings in which the primary use is office or hotel. For purposes of the immediately preceding sentence, the primary use of a building shall be determined based on the anticipated uses that are to be contained within the building at the time a building permit is issued, which shall be deemed to be office or hotel if no more than 20% of the total gross square footage of the building is to contain uses other than office uses or hotel uses respectively.

B. Permitted primary building materials shall include and shall be limited to the following (either alone or in some combination): brick, brick veneer, stone, stone veneer, metal, fiber cement siding or comparable material, wood, and/or glass. Nothing herein shall prohibit the use of the aforementioned materials or other materials as secondary or trim materials.

C. Any side of a building which is visible from a public street, right-of-way, or green shall have a finished appearance and shall be of compatible materials, color, trim, and style as the front facade of the building.

D. Drive-thrus and pick-up windows shall be prohibited along the front facades of buildings on outparcels with frontage on Hamilton Road.

E. In addition to other permitted locations, outdoor seating for restaurants shall be permitted between the front facades of buildings and the right-of-way for a public street, including, without limitation, Hamilton Road.

1.08. LIGHTING COMMITMENTS:

- A. Direct lighting fixtures for a ground sign shall be shielded with landscaping and shall be positioned in a manner that prevents glare.
- B. The maximum height of light poles shall not exceed 39 feet in height, except that light poles on outparcels with frontage on a public street shall not exceed 18 feet in height.
- C. Rear service area lighting shall be provided through the use of cut-off style downlighting with concealed light sources.

1.09 UTILITY COMMITMENTS: All new or relocated utility lines shall be installed underground.

1.10 GRAPHICS AND SIGNAGE COMMITMENTS: All signage and graphics shall conform to the requirements of C-4 Commercial District of the Columbus City Code unless otherwise approved by the Graphics Commission.

1.11 SITE PLAN: The site shall be developed in conformance with the site plan that is attached hereto as Exhibit A. In the event of a conflict between the site plan and the provisions of this zoning text, the provisions of this zoning text shall control.

1.12 MODIFICATION OF CODE STANDARDS: It is anticipated that the property subject to this rezoning (Subarea F) will be split to form separate tax parcels. In anticipation of the split, the following City of Columbus code modifications are requested:

- A. Section 3312.09, Aisle, to permit aisle(s) to be divided by a property line, subject to applicable total code required aisle width being provided and applicable easement(s).
- B. Section 3312.13, Driveway, to permit driveways to be divided by property lines, subject to applicable total code required driveway width being provided and applicable easement(s).
- C. Section 3312.25, Maneuvering, to permit maneuvering areas (including aisles, driveways, and parking spaces) to be divided by property lines, subject to applicable total code required maneuvering being provided for parking spaces and applicable easement(s).
- D. Section 3312.49, Minimum Numbers of Parking Spaces Required, code required parking may occur on separate tax parcels within Subarea F provided that the sum of parking on Subarea F shall be used to determine compliance with core required parking for uses within separate tax parcels located within Subarea F.
- E. Section 3321.03, Lighting, to increase the permitted maximum height of light poles from 28 feet to 39 feet, subject to the limitations provided in this text.
- F. Section 3356.11, C-4 District Setback Lines, to reduce the setback requirements identified in that provision in accordance with this text.

1.13 CPD CRITERIA:

- A. Existing land uses: To the north is the State Route 161 Expressway, green space/parkland and future multi-family residential; to the east is future commercial; to the west is future office and commercial; and to the south is office and commercial.

B. Transportation and circulation: Access to the site shall be via existing Hamilton Road on the east. Additional access to the site may be provided through public streets or private drives that are constructed in the future on the property to west of and adjacent to this site.

C. Visual form of the development: The site shall be developed in accordance with the zoning text.

D. View and visibility: In the development of the subject property and the location of the buildings and access points consideration has been given to the visibility and safety of motorists and pedestrians.

E. Proposed development: Office and commercial as permitted under this text.

F. Emissions: No adverse effects from emissions shall result from the proposed development.

G. Behavior patterns: The proposed development would serve the motorists who use State Route 161, Hamilton Road, and East Dublin-Granville Road, and will serve anticipated office development to the west of and adjacent to this site.

1.14 MISCELLANEOUS COMMITMENTS:

A. **Exhibit A** shall not be utilized as a basis for determining access configurations for this site or the configurations and traffic control of adjacent roadways and intersections. Rather, the access configurations for this site and the configurations and traffic control of adjacent roadways and intersections shall be determined by the approved traffic study referenced in Section 1.05.A above, by a future amendment to the approved traffic study or by subsequent engineered design plans.

The undersigned, being the owner of the subject property, together with the Applicant in the subject Application, or their authorized representatives, do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property, and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Codes.

Signature: By: _____

Date: _____